

AMENDED IN SENATE SEPTEMBER 3, 2009

AMENDED IN SENATE JUNE 8, 2009

AMENDED IN SENATE JUNE 3, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 752

Introduced by Assembly Member Arambula Caballero
(Principal coauthors: Assembly Members Arambula and Nava)
(Coauthors: Assembly Members Coto, Mendoza, Solorio, Torres, and
Torricon)

February 26, 2009

~~An act to amend Section 13476 of the Water Code, relating to water.~~
An act to add Division 26.7 (commencing with Section 79700) to the Water Code, relating to financing a safe drinking water and water supply reliability program, by providing the funds necessary therefor through an election for the issuance and sale of bonds of the State of California and for the handling and disposition of those funds, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 752, as amended, ~~Arambula Caballero. Local government: emergency response.~~ *Safe Drinking Water and Water Supply Reliability Act of 2010.*

(1) Under existing law, various measures have been approved by the voters to provide funds for water supply and protection facilities and programs.

This bill would enact the Safe Drinking Water and Water Supply Reliability Act of 2010, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$12,250,000,000 pursuant to

the State General Obligation Bond Law to finance a safe drinking water and water supply reliability program.

The bill would provide for the submission of the bond act to the voters at the November 2, 2010, statewide general election.

(2) This bill would declare that it is to take effect immediately as an urgency statute.

~~Existing law establishes the State Water Pollution Control Revolving Fund Small Community Grant Fund in the State Treasury. Money in the fund may be expended for grants for projects that serve small communities, as defined, with priority given to projects that serve severely disadvantaged communities. Existing law defines “severely disadvantaged community” for purposes of the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 as a community with a median household income of less than 60% of the statewide average.~~

~~This bill would define a severely disadvantaged community as a community with a median household income of less than 60% of the statewide median household income for purposes of the provisions governing expenditure of moneys in the State Water Pollution Control Revolving Fund Small Community Grant Fund.~~

Vote: ~~majority~~^{2/3}. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Division 26.7 (commencing with Section 79700)*
2 *is added to the Water Code, to read:*

3
4 *DIVISION 26.7. THE SAFE DRINKING WATER AND WATER*
5 *SUPPLY RELIABILITY ACT OF 2010*

6
7 *CHAPTER 1. SHORT TITLE*

8
9 79700. *This division shall be known and may be cited as the*
10 *Safe Drinking Water and Water Supply Reliability Act of 2010.*

11
12 *CHAPTER 2. FINDINGS AND DECLARATIONS*

13
14 79701. *The people of California find and declare all of the*
15 *following:*

1 (a) Many areas of the state are suffering from water shortages
2 that affect the availability of safe drinking water and the viability
3 of agriculture and the economy.

4 (b) Providing adequate supplies of clean, safe drinking water
5 is vital to California's economy.

6 (c) Encouraging water conservation and recycling are
7 commonsense methods to make more efficient use of existing water
8 supplies.

9 (d) Protecting lakes, rivers, and streams from pollution, cleaning
10 up polluted groundwater supplies, and protecting water sources
11 that supply the entire state are crucial to providing a reliable
12 supply of drinking water and protecting the natural resources of
13 California.

14
15 *CHAPTER 3. DEFINITIONS*
16

17 79702. Unless the context otherwise requires, the definitions
18 set forth in this section govern the construction of this division, as
19 follows:

20 (a) "Bay Delta Conservation Plan" means the final plan
21 prepared pursuant to the planning agreement regarding the Bay
22 Delta Conservation Plan, dated October 6, 2006.

23 (b) "Bay-Delta Estuary" means the Delta, Suisun Bay, and
24 Suisun Marsh.

25 (c) "CALFED Bay-Delta Program" means the program
26 described in the Record of Decision dated August 28, 2000.

27 (d) "Commission" means the California Water Commission.

28 (e) "Committee" means the Safe Drinking Water and Water
29 Supply Reliability Finance Committee created by Section 79812.

30 (f) "Delta" means the Sacramento-San Joaquin Delta as defined
31 in Section 12220.

32 (g) "Delta conveyance facilities" means facilities that convey
33 water directly from the Sacramento River to the State Water Project
34 or the federal Central Valley Project pumping facilities in the
35 south Delta.

36 (h) "Department" means the Department of Water Resources.

37 (i) "Developed area" has the meaning set forth in Section 59.1
38 of Title 44 of the Code of Federal Regulations.

39 (j) "Director" means the Director of Water Resources.

1 (k) “Disadvantaged community” has the meaning set forth in
2 subdivision (a) of Section 79505.5.

3 (l) “Economically distressed area” means a municipality with
4 a population of 20,000 persons or less, a rural county, or a
5 reasonably isolated and divisible segment of a larger municipality
6 where the segment of the population is 20,000 persons or less,
7 with a financial hardship, as determined by the department after
8 considering factors that include, but are not limited to, the median
9 income of the residents, the rate of unemployment, and low
10 population density.

11 (m) “Fund” means the Safe Drinking Water and Water Supply
12 Reliability Fund of 2010 created by Section 79720.

13 (n) “Integrated regional water management plan” has the
14 meaning set forth in Section 10534.

15 (o) “Nonprofit organization” means an organization qualified
16 to do business in California and qualified under Section 501(c)(3)
17 of Title 26 of the Internal Revenue Code.

18 (p) “Public agency” means a state agency or department,
19 district, joint powers authority, city, county, city and county, or
20 other political subdivision of the state.

21 (q) “Reliable water supply” means a water supply that is
22 adequate to meet the demands for reasonable and beneficial use
23 after accounting for water use efficiency measures.

24 (r) “Secretary” means the Secretary of the Natural Resources
25 Agency.

26 (s) “State General Obligation Bond Law” means the State
27 General Obligation Bond Law (Chapter 4 (commencing with
28 Section 16720) of Part 3 of Division 4 of Title 2 of the Government
29 Code).

30 31 CHAPTER 4. GENERAL PROVISIONS

32
33 79705. An amount that equals not more than 5 percent of the
34 funds allocated for a grant program pursuant to this division may
35 be used to pay the administrative costs of that program.

36 79706. Up to 10 percent of funds allocated for each program
37 funded by this division may be expended for planning and
38 monitoring necessary for the successful design, selection, and
39 implementation of the projects authorized under that program.
40 This section shall not otherwise restrict funds ordinarily used by

1 an agency for “preliminary plans,” “working drawings,” and
2 “construction” as defined in the annual Budget Act for a capital
3 outlay grant project. Water quality monitoring shall be integrated
4 into the surface water ambient monitoring program administered
5 by the State Water Resources Control Board.

6 79707. Chapter 3.5 (commencing with Section 11340) of Part
7 1 of Division 3 of Title 2 of the Government Code does not apply
8 to the development or implementation of programs or projects
9 authorized or funded under this division.

10 79708. (a) Prior to disbursing grants pursuant to this division,
11 each state agency that is required to administer a competitive
12 grant program under this division shall develop and adopt project
13 solicitation and evaluation guidelines. The guidelines may include
14 a limitation on the dollar amount of each grant to be awarded.

15 (b) Prior to disbursing grants, the state agency shall conduct
16 three public meetings to consider public comments prior to
17 finalizing the guidelines. The state agency shall publish the draft
18 solicitation and evaluation guidelines on its Internet Web site at
19 least 30 days before the public meetings. One meeting shall be
20 conducted at a location in northern California, one meeting shall
21 be conducted at a location in the central valley, and one meeting
22 shall be conducted at a location in southern California. Upon
23 adoption, the state agency shall transmit copies of the guidelines
24 to the fiscal committees and the appropriate policy committees of
25 the Legislature.

26 79709. It is the intent of the people that the investment of public
27 funds pursuant to this division will result in public benefits.

28 79710. The State Auditor shall annually conduct a
29 programmatic review and an audit of expenditures from the fund.
30 The State Auditor shall report its findings annually on or before
31 March 1 to the Governor and the Legislature, and shall make the
32 findings available to the public.

33 79711. Funds provided by this division shall not be expended
34 to support or pay for the costs of environmental mitigation
35 measures or compliance obligations of any party except as part
36 of the environmental mitigation costs of projects financed by this
37 division. Funds provided by this division may be used for
38 environmental enhancements or other public benefits.

39 79712. Funds provided by this division shall not be expended
40 to pay the costs of the design, construction, operation, or

1 maintenance of Delta conveyance facilities. Those costs shall be
2 the responsibility of the water users that benefit from the design,
3 construction, operation, or maintenance of those facilities.

4 79713. Nothing in this division shall limit or otherwise affect
5 the application of Sections 10505, 10505.5, 11128, 11460, 11461,
6 11462, and 11463 and Sections 12200 to 12220, inclusive.

7 79714. The Legislature may enact legislation necessary to
8 implement programs funded by this division.

9 79720. The proceeds of bonds issued and sold pursuant to this
10 division shall be deposited in the Safe Drinking Water and Water
11 Supply Reliability Fund of 2010, which is hereby created.

12
13 *CHAPTER 5. DROUGHT RELIEF AND PROTECTION*
14

15 79724. (a) The sum of one billion dollars (\$1,000,000,000)
16 shall be available, upon appropriation by the Legislature from the
17 fund to the department, for grants and expenditures for the
18 planning, design, and construction of local and regional drought
19 relief projects that reduce the impacts of drought conditions,
20 including the impacts of Delta diversion reductions. Projects shall
21 include the following:

- 22 (1) Water conservation and efficiency projects.
 - 23 (2) Water recycling and related infrastructure.
 - 24 (3) Stormwater capture.
 - 25 (4) Groundwater cleanup.
 - 26 (5) Local and regional conveyance projects that improve
27 connectivity and water management.
 - 28 (6) Projects to provide safe drinking water to disadvantaged
29 communities and economically distressed communities.
 - 30 (7) Mitigation of conditions of groundwater overdraft, saline
31 water intrusion, water quality degradation, or subsidence.
 - 32 (8) Other local and regional water supply reliability projects.
- 33 (b) Projects shall meet both of the following requirements:
- 34 (1) The project provides a sustainable water supply that does
35 not increase groundwater overdraft.
 - 36 (2) The project is capable of being operational within two years
37 of receiving the grant.
- 38 (c) Preference shall be given to applicants that can demonstrate
39 substantial past and current investments in water use efficiency
40 improvements and local water projects.

1 (d) Not more than 10 percent of the funds provided by this
2 section shall be available for planning investigations, studies, and
3 monitoring.

4 (e) Not less than 10 percent of the funds provided by this section
5 shall be available to the State Department of Public Health for
6 grants and expenditures to finance emergency and urgent actions
7 on behalf of disadvantaged communities and economically
8 distressed areas to ensure that safe drinking water supplies are
9 available to all Californians.

10 (f) The department shall require a cost share of not less than
11 50 percent of total project costs from nonstate sources. The
12 department may waive or reduce the cost share requirement for
13 projects that directly benefit disadvantaged communities or
14 economically distressed areas.

15
16 CHAPTER 6. WATER SUPPLY RELIABILITY
17

18 79730. The sum of one billion nine hundred ninety million
19 dollars (\$1,990,000,000) shall be available, upon appropriation
20 by the Legislature from the fund to the department, for the purposes
21 of this chapter.

22 79731. One billion six hundred ninety million dollars
23 (\$1,690,000,000) of the funds provided pursuant to Section 79730
24 shall be allocated for grants and expenditures in accordance with
25 Section 79732.

26 79732. (a) Except as provided in subdivision (g) or (h), the
27 department shall award grants to eligible projects that implement
28 an adopted integrated regional water management plan.

29 (b) An urban water supplier that does not prepare, adopt, and
30 submit its urban water management plan in accordance with the
31 Urban Water Management Planning Act (Part 2.6 (commencing
32 with Section 10610) of Division 6) is ineligible to receive funds
33 made available pursuant to Section 79731 until the urban water
34 management plan is prepared and submitted in accordance with
35 the requirements of that act.

36 (c) For the purposes of awarding a grant under this chapter,
37 the department shall require a local cost share of not less than 50
38 percent of the total costs of the project. The department may waive
39 or reduce the cost-sharing requirement for projects that directly

1 *benefit a disadvantaged community or an economically distressed*
2 *area.*

3 *(d) Eligible projects include, but are not limited to, all of the*
4 *following:*

5 *(1) Agricultural and urban water use efficiency implementation*
6 *projects, including, but not limited to, feasibility studies, technical*
7 *assistance, education, and public outreach, and projects that result*
8 *in water savings, increased instream flow, improved water quality,*
9 *or increased energy efficiency.*

10 *(2) Recycling, reclamation, water treatment for the recovery of*
11 *water supplies, desalination, and associated facilities, including*
12 *distributions and storage systems.*

13 *(3) Groundwater and surface storage projects, and conjunctive*
14 *use and reservoir reoperations projects.*

15 *(4) Groundwater contamination prevention, cleanup, and*
16 *treatment, and other water quality projects necessary to protect*
17 *existing or potential water supplies. The implementation of a*
18 *project financed pursuant to this paragraph does not relieve a*
19 *responsible party or liable person from that person's obligation*
20 *under existing state or federal law to clean up or remediate, or*
21 *otherwise treat, contaminated water.*

22 *(5) Projects that reduce contributions to climate change from*
23 *water management systems.*

24 *(6) Projects that enhance the adaptability to climate change of*
25 *water management systems.*

26 *(7) Other projects that meet the requirements of Section 75026*
27 *of the Public Resources Code.*

28 *(e) Eligible applicants are public agencies, public utilities, and*
29 *mutual water companies. To be eligible for funding under Section*
30 *79731, projects proposed by public utilities that are regulated by*
31 *the Public Utilities Commission and mutual water companies shall*
32 *have a clear and definite public purpose and shall benefit the*
33 *customers of those respective water systems.*

34 *(f) The funding provided under Section 79731 shall be allocated*
35 *to each hydrologic region as identified in the California Water*
36 *Plan in accordance with this subdivision. For the South Coast*
37 *hydrologic region, the department shall establish three funding*
38 *areas that reflect the watersheds of San Diego County (designated*
39 *as the San Diego subregion), the Santa Ana River watershed and*
40 *southern Orange County (designated as the Santa Ana subregion),*

and the Los Angeles and Ventura County watersheds (designated as the Los Angeles subregion), and shall allocate funds to those areas in accordance with this subdivision. The North and South Lahontan hydrologic regions shall be treated as one area for the purpose of allocating funds. The department may recognize multiple integrated regional water management plans in each of the areas allocated funding. Funds provided under Section 79731 shall be allocated as follows:

<i>(1) North Coast</i>	<i>\$76,000,000</i>
<i>(2) San Francisco Bay</i>	<i>\$171,000,000</i>
<i>(3) Central Coast</i>	<i>\$91,000,000</i>
<i>(4) Los Angeles subregion</i>	<i>\$243,000,000</i>
<i>(5) Santa Ana subregion</i>	<i>\$167,000,000</i>
<i>(6) San Diego subregion</i>	<i>\$122,000,000</i>
<i>(7) Sacramento River</i>	<i>\$115,000,000</i>
<i>(8) San Joaquin River</i>	<i>\$101,000,000</i>
<i>(9) Tulare/Kern</i>	<i>\$103,000,000</i>
<i>(10) North/South Lahontan</i>	<i>\$72,000,000</i>
<i>(11) Colorado River Basin</i>	<i>\$79,000,000</i>
<i>(12) Interregional</i>	<i>\$350,000,000</i>

(g) Interregional funds provided pursuant to paragraph (12) of subdivision (f) may be expended directly or granted by the department to address multiregional needs or state priorities, including, but not limited to, any of the following:

- (1) Investing in new water technology development and deployment.*
- (2) Meeting state water recycling and water conservation goals.*
- (3) Adapting to climate change impacts.*
- (4) Reducing contributions to climate change.*
- (5) Other projects to improve statewide water management systems.*
- (6) Other projects and activities designed to meet the needs of disadvantaged communities or economically distressed areas, including technical and grant writing assistance.*

(h) Fifty million dollars (\$50,000,000) of the interregional funds provided pursuant to paragraph (12) of subdivision (f) shall be allocated for costs incurred in connection with the provision of recreation and fish and wildlife enhancement at state water

1 projects. The funds shall be available to pay the costs associated
2 with the planning, construction, operation, and maintenance for
3 recreation and fish and wildlife enhancement.

4 79735. Three hundred million dollars (\$300,000,000) of the
5 funds provided pursuant to Section 79730 shall be allocated to
6 the department for grants to disadvantaged communities or
7 economically distressed areas consistent with the purposes of this
8 chapter.

10 *CHAPTER 7. DELTA SUSTAINABILITY*

11
12 79740. (a) The Bay-Delta Estuary is a unique and
13 irreplaceable combination of environmental and economic
14 resources. Current management and use of the Delta is not
15 sustainable, and results in a high level of conflict among various
16 interests. Future Delta sustainability is threatened by changing
17 hydrology due to climate change, water diversions, flood risk,
18 seismic events, nonnative species, toxics, and other environmental
19 problems. Future management of the Delta must improve Delta
20 ecosystem health and improve the means of Delta water
21 conveyance in order to protect drinking water quality, improve
22 water supply reliability, restore ecosystem health, and preserve
23 agricultural and recreational values in the Delta, while providing
24 to counties and watersheds of origin assurances that their priority
25 to water resources will be protected and that programs or facilities
26 implemented or constructed in the Delta will not result in
27 redirection of unmitigated, significant adverse impacts to the
28 counties and watershed of origin. Many sources of funding will
29 be needed to implement improved Delta management.

30 (b) This chapter provides state funding for public benefits
31 associated with projects needed to assist in the Delta's
32 sustainability as a vital resource for fish, wildlife, water quality,
33 water supply, agriculture, and recreation.

34 79741. Notwithstanding Section 13340 of the Government
35 Code, the sum of three billion dollars (\$3,000,000,000) is hereby
36 continuously appropriated from the fund, without regard to fiscal
37 years, to the commission for grants and direct expenditure, as
38 follows:

39 (a) One billion dollars (\$1,000,000,000) for projects, including
40 grants to Delta cities, counties, and special districts within the

1 *Delta, that provide public benefits and support Delta sustainability*
2 *options, including projects and supporting scientific studies and*
3 *assessments that do any of the following:*

4 *(1) Ensure that urban and agricultural water supplies derived*
5 *from the Delta, including water supplies used within the Delta,*
6 *are not disrupted because of catastrophic failures of Delta levees*
7 *resulting from earthquakes, floods, land sinking, rising ocean*
8 *levels, or other forces.*

9 *(2) Assist in preserving economically viable and sustainable*
10 *agriculture and other economic activities in the Delta.*

11 *(3) Improve the quality of drinking water derived from the Delta.*

12 *(4) Improve levee and flood control facilities and other vital*
13 *infrastructure necessary to protect Delta communities affected by*
14 *the implementation of this chapter.*

15 *(5) Provide physical improvements or other actions to create*
16 *water flow and water quality conditions within the Delta to provide*
17 *adequate habitat for native fish and wildlife.*

18 *(6) Facilitate other projects that provide public benefits and*
19 *support Delta sustainability options approved by the Legislature,*
20 *including costs associated with planning, monitoring, and design*
21 *of alternatives, and project modifications and adaptations*
22 *necessary to achieve the goals of this chapter.*

23 *(b) Two billion dollars (\$2,000,000,000) for projects to protect*
24 *and enhance the sustainability of the Delta ecosystem, including*
25 *any of the following:*

26 *(1) Projects for the development and implementation of the Bay*
27 *Delta Conservation Plan. The projects shall be implemented*
28 *through a cooperative effort among regulatory agencies, regulated*
29 *and potentially regulated entities, and affected parties, including*
30 *state and federal water contractors. These funds may be expended*
31 *for the preparation of environmental documentation and*
32 *environmental compliance.*

33 *(2) Other projects to protect and restore native fish and wildlife*
34 *dependent on the Delta ecosystem, including the acquisition of*
35 *water rights and the removal or reduction of undesirable invasive*
36 *species.*

37 *(3) Projects to reduce greenhouse gas emissions from exposed*
38 *Delta soils.*

39 *(4) Scientific studies and assessments that support the projects*
40 *authorized under this section.*

1 *CHAPTER 8. STATEWIDE WATER SYSTEM OPERATIONAL*
2 *IMPROVEMENT*

3
4 79750. (a) *Notwithstanding Section 162, the commission may*
5 *make the determinations, findings, and recommendations required*
6 *of it by this chapter independent of the views of the director. All*
7 *final actions by the commission in implementing this chapter shall*
8 *be taken by a majority of the members of the commission at a*
9 *public meeting noticed and held pursuant to the Bagley-Keene*
10 *Open Meeting Act (Article 9 (commencing with Section 11120) of*
11 *Chapter 1 of Part 1 of Division 3 of Title 2 of the Government*
12 *Code).*

13 (b) *Notwithstanding Section 13340 of the Government Code,*
14 *the sum of three billion five hundred million dollars*
15 *(\$3,500,000,000) is hereby continuously appropriated from the*
16 *fund, without regard to fiscal years, to the commission for public*
17 *benefits associated with water storage projects that improve the*
18 *operation of the state water system, are cost effective, and provide*
19 *a net improvement in ecosystem and water quality conditions, in*
20 *accordance with this chapter. Funds authorized for, or made*
21 *available to, the commission pursuant to this chapter shall be*
22 *available and expended only for the purposes provided in this*
23 *chapter, and shall not be subject to appropriation or transfer by*
24 *the Legislature or the Governor for any other purpose.*

25 (c) *Projects shall be selected by the commission through a*
26 *competitive public process that ranks potential projects based on*
27 *the expected return for public investment as measured by the*
28 *magnitude of the public benefits provided, pursuant to criteria*
29 *established under this chapter.*

30 (d) *Any project constructed with funds provided by this chapter*
31 *shall be subject to Section 11590.*

32 (e) *No funds authorized under this chapter shall be expended*
33 *for any project until December 31, 2012 or until the planning and*
34 *feasibility studies associated with new surface storage identified*
35 *in the CALFED Bay-Delta Program Record of Decision, dated*
36 *August 28, 2000, have been completed, whichever occurs first.*

37 79751. *Projects for which the public benefits are eligible for*
38 *funding under this chapter consist of any of the following:*

39 (a) *Surface storage projects identified in the CALFED Bay-Delta*
40 *Program Record of Decision, dated August 28, 2000.*

1 (b) Groundwater storage projects and groundwater
2 contamination prevention or remediation projects that provide
3 water storage benefits.

4 (c) Conjunctive use and reservoir reoperation projects.

5 (d) Regional and local surface storage and conveyance projects
6 that improve the operation of water systems in the state and provide
7 public benefits.

8 79752. A project shall not be funded pursuant to this chapter
9 unless it provides measurable improvements to the Delta ecosystem
10 or the tributaries to the Delta.

11 79753. (a) Funds allocated pursuant to this chapter may be
12 expended solely for the following public benefits associated with
13 water storage projects:

14 (1) Ecosystem improvements, including changing the timing of
15 water diversions, improvement in flow conditions, temperature,
16 or other benefits that contribute to restoration of aquatic
17 ecosystems and native fish and wildlife, including those ecosystems
18 and fish and wildlife in the Delta.

19 (2) Water quality improvements in the Delta, or in other river
20 systems, that provide significant public trust resources, or that
21 clean up and restore groundwater resources.

22 (3) Flood control benefits, including, but not limited to,
23 increases in flood reservation space in existing reservoirs by
24 exchange for existing or increased water storage capacity in
25 response to the effects of changing hydrology and decreasing snow
26 pack on California's water and flood management system.

27 (b) For the purposes of this chapter, "public benefits" does not
28 include the costs of environmental mitigation measures or
29 compliance obligations established prior to the enactment of this
30 division under state or federal law.

31 79754. In consultation with the Department of Fish and Game,
32 the State Water Resources Control Board, and the department,
33 the commission shall develop and adopt, by regulation, methods
34 for quantification and management of public benefits described
35 under Section 79753 by December 15, 2013. The regulations shall
36 include the priorities and relative environmental value of ecosystem
37 benefits as provided by the Department of Fish and Game and the
38 priorities and relative environmental value of water quality benefits
39 as provided by the State Water Resources Control Board.

1 79755. (a) *Except as provided under subdivision (c), no funds*
2 *allocated pursuant to this chapter shall not be allocated for a*
3 *project before December 15, 2013, and unless the commission*
4 *approves the project based on the commission's determination*
5 *that all of the following have occurred:*

6 (1) *The commission has adopted the regulations specified in*
7 *Section 79754 and specifically quantified and made public the cost*
8 *of the public benefits associated with the project.*

9 (2) *The department has entered into a contract with each party*
10 *who will derive benefits, other than public benefits as defined in*
11 *Section 79753, from the project that ensures the party will pay its*
12 *share of the total costs of the project. The benefits available to a*
13 *party shall be consistent with that party's share of total project*
14 *costs.*

15 (3) *The department has entered into a contract with each public*
16 *agency identified in Section 79754 that administers the public*
17 *benefits, after that agency makes a finding that the public benefits*
18 *of the project for which that agency is responsible meet all the*
19 *requirements of this chapter, to ensure that the public contribution*
20 *of funds pursuant to this chapter achieves the public benefits*
21 *identified for the project.*

22 (4) *The commission has held a public hearing for the purposes*
23 *of providing an opportunity for the public to review and comment*
24 *on the information required to be prepared pursuant to this*
25 *subdivision.*

26 (5) *All of the following additional conditions are met:*

27 (A) *Feasibility studies have been completed.*

28 (B) *The director has found and determined that the project is*
29 *feasible, is consistent with all applicable laws and regulations,*
30 *and will advance the long-term objectives of restoring ecological*
31 *health and improving water management for beneficial uses of the*
32 *Bay-Delta Estuary.*

33 (C) *All environmental documentation associated with the project*
34 *has been completed, and all other federal, state, and local*
35 *approvals, certifications, and agreements required to be completed*
36 *have been obtained.*

37 (b) *The commission shall submit to the Legislature its findings*
38 *for each of the criteria identified in subdivision (a) for a project*
39 *funded pursuant to this chapter.*

1 (c) Notwithstanding subdivision (a), funds may be made
2 available under this chapter for the completion of environmental
3 documentation and permitting of a project.

4 79756. (a) The public benefit cost share of a project funded
5 pursuant to this chapter, other than a project defined under
6 subdivision (c) of Section 79751, may not exceed 50 percent of the
7 total costs of any project funded under this chapter.

8 (b) No project may be funded unless it provides ecosystem
9 improvements as described in paragraph (1) of subdivision (a) of
10 Section 79753 that are at least 50 percent of total public benefits
11 of the project funded under this chapter.

12 79757. (a) A project identified in subdivision (a) of Section
13 79751 is not eligible for funding under this chapter unless, by
14 January 1, 2016, the project meets all of the following conditions:

15 (1) All feasibility studies are complete and draft environmental
16 documentation is available for public review.

17 (2) The director makes a finding that the project is feasible, and
18 will advance the long-term objectives of restoring ecological health
19 and improving water management for beneficial uses of the
20 Bay-Delta Estuary.

21 (3) The director receives commitments for not less than 75
22 percent of the nonpublic benefit cost share of the project.

23 (b) If compliance with subdivision (a) is delayed by litigation
24 or failure to adopt regulations, the date in subdivision (a) shall
25 be extended by the director for a time period that is equal to the
26 time period of the delay and all funding from this chapter that has
27 been dedicated to a project affected by this subdivision shall be
28 encumbered until the litigation is completed or regulations have
29 been adopted.

30 79758. Surface storage projects funded pursuant to this chapter
31 and described in subdivision (a) of Section 79751 may be made a
32 unit of the Central Valley Project as provided in Section 11290
33 and may be financed, acquired, constructed, operated, and
34 maintained pursuant to Part 3 (commencing with Section 11100)
35 of Division 6.

36
37 CHAPTER 9. CONSERVATION AND WATERSHED PROTECTION

38
39 79760. The sum of one billion five hundred million dollars
40 (\$1,500,000,000) shall be available, upon appropriation by the

1 *Legislature from the fund, in accordance with this chapter, for*
2 *expenditures and grants for ecosystem and watershed protection*
3 *and restoration projects, including, but not limited to, all of the*
4 *following watersheds:*

- 5 (a) *The San Joaquin River watershed.*
- 6 (b) *The Kern River and Tulare Basin watersheds.*
- 7 (c) *The Salton Sea and Colorado River watersheds.*
- 8 (d) *The Los Angeles River watershed.*
- 9 (e) *The San Gabriel River watershed.*
- 10 (f) *The Santa Ana River watershed.*
- 11 (g) *The Klamath River watershed, including the Trinity, Scott,*
12 *and Shasta Rivers and watersheds.*
- 13 (h) *The North Coast watersheds.*
- 14 (i) *The San Francisco Bay watersheds.*
- 15 (j) *The Central Coast watersheds.*
- 16 (k) *The South Coast watersheds.*
- 17 (l) *The Lake Tahoe Basin watershed.*
- 18 (m) *The Sacramento River watershed, including the Yolo Bypass.*
- 19 (n) *The San Diego County coastal watersheds.*
- 20 (o) *The Ventura River watershed.*
- 21 (p) *The Sierra Nevada Mountain watersheds.*
- 22 (q) *The Mojave River watershed.*
- 23 (r) *The Owens River watershed.*
- 24 (s) *The Santa Monica Bay watershed.*

25 *79761. Funds provided under this chapter may be appropriated*
26 *to the Natural Resources Agency, the Department of Fish and*
27 *Game, the Wildlife Conservation Board, the California*
28 *Conservation Corps, the Department of Parks and Recreation, the*
29 *Department of Forestry and Fire Protection, or to state*
30 *conservancies for expenditures and grants consistent with this*
31 *chapter and other applicable laws.*

32 *79762. (a) Funds provided for the Sacramento River and San*
33 *Joaquin River watersheds pursuant to Section 79760 shall be*
34 *available for projects consistent with the ecosystem restoration*
35 *program element of the California Bay-Delta Program, or its*
36 *successor, or the San Joaquin River Parkway Master Plan.*

37 *(b) Funds provided for Salton Sea watershed projects pursuant*
38 *to Section 79760 shall be available for Salton Sea restoration*
39 *activities identified for “Period I” in the Natural Resources Agency*

1 *report entitled “Salton Sea Ecosystem Restoration Program*
2 *Preferred Alternative Report and Funding Plan,” dated May 2007.*

3 *(c) Funds provided for the Lake Tahoe Basin watershed*
4 *pursuant to Section 79760 shall be available for projects consistent*
5 *with the Lake Tahoe Environmental Improvement Program.*

6 *(d) Funds provided for the Los Angeles River and San Gabriel*
7 *River watersheds pursuant to Section 79760 shall be available*
8 *pursuant to Section 79508, and for projects identified in the Los*
9 *Angeles River Revitalization Master Plan.*

10 79763. *(a) The sum of eighty-five million dollars (\$85,000,000)*
11 *shall be available, upon appropriation by the Legislature from the*
12 *fund to the Department of Fish and Game, for expenditures and*
13 *grants to protect the Delta ecosystem and the state’s water supply*
14 *from invasive species, including, but not limited to, asiatic clams,*
15 *zebra mussels, quagga mussels, and New Zealand mud snails.*

16 *(b) At least fifty million dollars (\$50,000,000) of the funds*
17 *provided pursuant to subdivision (a) shall be available for grants*
18 *to public agencies, including water agencies, to pay for capital*
19 *expenditures associated with the control of invasive species,*
20 *including, but not limited to, chlorination facilities, habitat*
21 *modifications, and monitoring equipment. The Department of Fish*
22 *and Game shall administer the grant program.*

23 *(c) The Legislature, shall establish by statute, requirements for*
24 *both of the following:*

25 *(1) Repayment of grant funds made available pursuant to this*
26 *section in the event of cost recovery from parties responsible for*
27 *the introduction of invasive species that affect the Delta ecosystem*
28 *and the state’s water supply.*

29 *(2) Recipients of grants to make reasonable efforts to recover*
30 *costs from parties described in paragraph (1).*

31 79764. *For restoration and ecosystem protection projects under*
32 *this chapter, the services of the California Conservation Corps or*
33 *community conservation corps shall be used whenever feasible.*

34 79765. *(a) Not less than four hundred million dollars*
35 *(\$400,000,000) of the funds provided pursuant to Section 79760*
36 *shall be allocated to the State Coastal Conservancy for projects*
37 *within coastal counties and coastal watersheds, including grants*
38 *to the San Diego River Conservancy. Of the funds described in*
39 *this subdivision, not less than forty million dollars (\$40,000,000)*
40 *shall be available for grants for the Santa Ana River Parkway.*

1 (b) Not less than one hundred million dollars (\$100,000,000)
2 of the funds provided pursuant to Section 79760 shall be allocated
3 to the Wildlife Conservation Board for direct expenditure or grants
4 for the acquisition of water rights from willing sellers and the
5 conveyance of water for the benefit of migratory birds on wildlife
6 refuges and wildlife habitat areas subject to Section 3406(d) of
7 the federal Central Valley Project Improvement Act (Public Law
8 102-575).

9 (c) Not less than four hundred million dollars (\$400,000,000)
10 of the funds provided pursuant to Section 79760 shall be allocated
11 to the Wildlife Conservation Board for direct expenditure or grants
12 for the protection or restoration of watershed lands or rivers and
13 streams that support species listed as threatened or endangered
14 under state or federal law consistent with the requirements of
15 programs identified in Division 2 (commencing with Section 700)
16 of the Fish and Game Code or to implement or develop a Natural
17 Community Conservation Plan pursuant to Chapter 10
18 (commencing with Section 2800) of Division 3 of the Fish and
19 Game Code.

20 79766. Not more than two hundred fifty million dollars
21 (\$250,000,000) of the funds provided pursuant to Section 79760
22 shall be allocated for dam removal and related measures in the
23 Klamath River watershed if the Secretary of Natural Resources
24 finds that the following conditions have been met:

25 (a) The State of California, State of Oregon, United States, and
26 PacifiCorp have executed a dam removal agreement.

27 (b) The United States and the States of California and Oregon
28 have made the determinations required under the agreement to
29 effect dam removal.

30 (c) Ratepayer funds required by the agreement have been
31 authorized and will be timely provided.

32 (d) All other conditions required in the agreement have been
33 met.

34 79767. Notwithstanding any other provision of this chapter,
35 of the funds provided in Section 79760, the sum of fifty million
36 dollars (\$50,000,000) shall be allocated to the California State
37 University for the purposes of funding agricultural water supply,
38 water use, efficiency, water quality, and related research and
39 education efforts in accordance with the California State University
40 Water Resources and Policy Initiatives.

1 79768. For the purposes of this chapter, the terms
2 “restoration” and “protection” have the meanings set forth in
3 Section 75005 of the Public Resources Code.

4
5 CHAPTER 10. GROUNDWATER PROTECTION AND WATER
6 QUALITY
7

8 79770. The sum of seven hundred million dollars
9 (\$700,000,000) shall be available, upon appropriation by the
10 Legislature from the fund, for the purposes of this chapter.

11 79771. (a) Three hundred million dollars (\$300,000,000) of
12 the funds provided pursuant to Section 79770 shall be allocated
13 for expenditures, grants, and loans for projects to prevent or reduce
14 the contamination of groundwater that serves as a source of
15 drinking water. Funds appropriated pursuant to this section shall
16 be available to the State Department of Public Health for projects
17 necessary to protect public health by preventing or reducing the
18 contamination of groundwater, including contamination from
19 salinity intrusion, that serves as a major source of drinking water
20 for a community.

21 (b) Projects shall be prioritized based upon the following
22 criteria:

23 (1) The threat posed by groundwater contamination to the
24 affected community’s overall drinking water supplies, including
25 the need for treatment of alternative supplies if groundwater is
26 not available due to contamination.

27 (2) The potential for groundwater contamination to spread and
28 reduce drinking water supply and water storage for nearby
29 population areas.

30 (3) The potential of the project, if fully implemented, to enhance
31 local water supply reliability.

32 (4) The potential of the project to increase opportunities for
33 groundwater recharge and optimization of groundwater supplies.

34 (c) The State Department of Public Health shall give additional
35 consideration to projects that meet any of the following criteria:

36 (1) The project is implemented pursuant to a comprehensive
37 basinwide groundwater quality management and remediation plan
38 or is necessary to develop a comprehensive groundwater plan.

1 (2) Affected groundwater provides a local supply that, if
2 contaminated and not remediated, will require import of additional
3 water from outside the region.

4 (3) The project will serve an economically disadvantaged
5 community or an economically distressed area.

6 (4) The project addresses contamination at a site where the
7 responsible parties have not been identified, or where the
8 responsible parties are unwilling or unable to pay for cleanup.

9 (d) Of the amount made available by this section, not less than
10 one hundred million dollars (\$100,000,000) shall be allocated to
11 projects that benefit disadvantaged communities or economically
12 distressed areas, including technical and grant writing assistance.

13 (e) Of the amount made available by this section, up to one
14 hundred million dollars (\$100,000,000) shall be available for
15 projects that meet the requirement of this section and both of the
16 following criteria:

17 (1) The project is part of a basinwide management and
18 remediation plan for which federal funds have been allocated.

19 (2) The project addresses contamination at a site on the list
20 maintained by the Department of Toxic Substances Control
21 pursuant to Section 25356 of the Health and Safety Code or a site
22 identified on the National Priorities List pursuant to the
23 Comprehensive Environmental Response, Compensation, and
24 Liability Act of 1980 (42 U.S.C. Sec. 9601 et seq.).

25 (f) The Legislature, by statute, shall establish both of the
26 following:

27 (1) Requirements for repayment of grant funds in the event of
28 cost recovery from parties responsible for the groundwater
29 contamination.

30 (2) Requirements for recipients of grants to make reasonable
31 efforts to recover costs from parties responsible for groundwater
32 contamination.

33 79773. (a) Three hundred million dollars (\$300,000,000) of
34 the funds provided pursuant to Section 79770 shall be allocated
35 to the State Water Resources Control Board for competitive grants
36 and loans for stormwater management and water quality projects
37 pursuant to this section.

38 (b) Eligible projects shall assist in compliance with total
39 maximum daily load (TMDL) implementation plans and be
40 consistent with all applicable waste discharge permits.

1 (c) Eligible projects include facilities and infrastructure to
2 reduce, manage, and treat stormwater runoff, including, but not
3 limited to:

- 4 (1) Detention and retention basins.
5 (2) Dry weather diversion facilities, trash filters, and screens.
6 (3) Treatment wetlands creation and enhancement.
7 (4) Stormwater runoff reduction projects, including permeable
8 surface installation, cisterns, and collection and treatment facilities
9 for groundwater recharge.
10 (5) Other stormwater management infrastructure for low-impact
11 development.

12 (d) The State Water Resources Control Board shall require not
13 less than a 50 percent local cost share for grant funds, but may
14 suspend or reduce the matching requirements for disadvantaged
15 communities and economically distressed areas.

16 (e) The State Water Resources Control Board shall award grants
17 on a competitive basis, considering the following criteria:

- 18 (1) Water quality benefits of the project, including the project's
19 ability to reduce impairment of the receiving water body.
20 (2) Cost effectiveness.
21 (3) Public health benefits of the project.

22 (f) Eligible recipients shall include local public agencies and
23 joint powers authorities.

24 79774. One hundred million dollars (\$100,000,000) of the
25 funds provided pursuant to Section 79770 shall be transferred to
26 the Ocean Protection Fund established by Section 35650 of the
27 Public Resources Code for expenditure for projects consistent with
28 Section 35650 of the Public Resources Code.

29
30 CHAPTER 11. WATER RECYCLING AND ADVANCED TREATMENT
31 TECHNOLOGIES
32

33 79780. (a) The sum of four hundred seventy-five million dollars
34 (\$475,000,000) shall be available, upon appropriation by the
35 Legislature from the fund, for grants and loans for water recycling
36 and advanced treatment technology projects that include all of the
37 following:

- 38 (1) Water recycling projects.
39 (2) Contaminant and salt removal projects, including
40 groundwater and seawater desalination.

1 (3) *Dedicated distribution and storage infrastructure for*
2 *recycled water including commercial and industrial end-user*
3 *retrofit projects to allow use of recycled water.*

4 (4) *Pilot projects for new salt contaminant removal technology.*

5 (5) *Groundwater recharge infrastructure related to recycled*
6 *water.*

7 (6) *Technical assistance and grant writing assistance for*
8 *disadvantaged communities and economically distressed areas.*

9 (b) *Grants or loans shall require not less than a 50 percent cost*
10 *share, but matching requirements may be suspended or reduced*
11 *for disadvantaged communities and economically distressed areas.*
12 *Projects shall be selected on a competitive basis, considering the*
13 *following criteria:*

14 (1) *Water supply reliability improvement.*

15 (2) *Water quality and ecosystem benefits related to decreased*
16 *reliance on diversions from the Delta or instream flows.*

17 (3) *Public health benefits from improved drinking water quality.*

18 (4) *Cost effectiveness.*

19 (5) *Energy efficiency and greenhouse gas emission impacts.*

20 (c) *Eligible applicants under this chapter are public agencies,*
21 *public utilities, and mutual water companies. To be eligible for*
22 *funding under this chapter, projects proposed by public utilities*
23 *that are regulated by the Public Utilities Commission and mutual*
24 *water companies shall have a clear and definite public purpose*
25 *and shall benefit the customers of those respective water systems.*

26 (d) *Of the amount made available in subdivision (a), the sum*
27 *of seventy-five million dollars (\$75,000,000) shall be allocated to*
28 *the department for grants and loans for urban and agricultural*
29 *water use efficiency projects.*

30
31 *CHAPTER 12. FISCAL PROVISIONS*
32

33 79810. (a) *Bonds in the total amount of twelve billion two*
34 *hundred fifty million dollars (\$12,250,000,000), not including the*
35 *amount of any refunding bonds issued in accordance with Section*
36 *79822, or so much thereof as is necessary, may be issued and sold*
37 *to provide a fund to be used for carrying out the purposes*
38 *expressed in this division and to reimburse the General Obligation*
39 *Bond Expense Revolving Fund pursuant to Section 16724.5 of the*
40 *Government Code. The bonds, when sold, shall be and constitute*

1 *valid and binding obligations of the State of California, and the*
2 *full faith and credit of the State of California is hereby pledged*
3 *for the punctual payment of both the principal of, and interest on,*
4 *the bonds as the principal and interest become due and payable.*

5 *(b) The Treasurer shall sell the bonds authorized by the*
6 *committee pursuant to this section. The bonds shall be sold upon*
7 *the terms and conditions specified in a resolution to be adopted*
8 *by the committee pursuant to Section 16731 of the Government*
9 *Code.*

10 *79811. The bonds authorized by this division shall be prepared,*
11 *executed, issued, sold, paid, and redeemed as provided in the State*
12 *General Obligation Bond Law, and all of the provisions of that*
13 *law apply to the bonds and to this division and are hereby*
14 *incorporated in this division as though set forth in full in this*
15 *division, except Section 16727 of the Government Code shall not*
16 *apply to the extent that it is inconsistent with any other provision*
17 *of this division.*

18 *79812. (a) Solely for the purpose of authorizing the issuance*
19 *and sale, pursuant to the State General Obligation Bond Law, of*
20 *the bonds authorized by this division, the Safe Drinking Water and*
21 *Water Supply Reliability Finance Committee is hereby created.*
22 *For purposes of this division, the Safe Drinking Water and Water*
23 *Supply Reliability Finance Committee is "the committee" as that*
24 *term is used in the State General Obligation Bond Law.*

25 *(b) The committee consists of the Director of Finance, the*
26 *Treasurer, the Controller, the Director of Water Resources, and*
27 *the Secretary of the Natural Resources Agency. Notwithstanding*
28 *any other provision of law, any member may designate a deputy*
29 *to act as that member in his or her place for all purposes, as though*
30 *the member were personally present.*

31 *(c) The Treasurer shall serve as chairperson of the committee.*

32 *(d) A majority of the members of the committee shall constitute*
33 *a quorum of the committee, and may act for the committee.*

34 *79813. The committee shall determine whether or not it is*
35 *necessary or desirable to issue bonds authorized pursuant to this*
36 *division to carry out the actions specified in this division and, if*
37 *so, the amount of bonds to be issued and sold. Successive issues*
38 *of bonds may be authorized and sold to carry out those actions*
39 *progressively, and it is not necessary that all of the bonds*
40 *authorized to be issued be sold at any one time.*

1 79814. “Board,” as defined in Section 16722 of the
2 Government Code for the purposes of compliance with the State
3 General Obligation Bond Law, means the department.

4 79815. There shall be collected each year and in the same
5 manner and at the same time as other state revenue is collected,
6 in addition to the ordinary revenues of the state, a sum in an
7 amount required to pay the principal of, and interest on, the bonds
8 each year, and it is the duty of all officers charged by law with
9 any duty in regard to the collection of the revenue to do and
10 perform each and every act which is necessary to collect that
11 additional sum.

12 79816. Notwithstanding Section 13340 of the Government
13 Code, there is hereby appropriated from the General Fund in the
14 State Treasury, for the purposes of this division, an amount that
15 will equal the total of the following:

16 (a) The sum annually necessary to pay the principal of, and
17 interest on, bonds issued and sold pursuant to this division, as the
18 principal and interest become due and payable.

19 (b) The sum that is necessary to carry out the provisions of
20 Section 79819, appropriated without regard to fiscal years.

21 79817. The board may request the Pooled Money Investment
22 Board to make a loan from the Pooled Money Investment Account
23 in accordance with Section 16312 of the Government Code for the
24 purpose of carrying out this division. The amount of the request
25 shall not exceed the amount of the unsold bonds that the committee
26 has, by resolution, authorized to be sold for the purpose of carrying
27 out this division. The board shall execute those documents required
28 by the Pooled Money Investment Board to obtain and repay the
29 loan. Any amounts loaned shall be deposited in the fund to be
30 allocated in accordance with this division.

31 79818. Notwithstanding any other provision of this division,
32 or of the State General Obligation Bond Law, if the Treasurer
33 sells bonds that include a bond counsel opinion to the effect that
34 the interest on the bonds is excluded from gross income for federal
35 tax purposes under designated conditions, the Treasurer may
36 maintain separate accounts for the bond proceeds invested and
37 for the investment earnings on those proceeds, and may use or
38 direct the use of those proceeds or earnings to pay any rebate,
39 penalty, or other payment required under federal law or take any
40 other action with respect to the investment and use of those bond

1 *proceeds, as may be required or desirable under federal law in*
2 *order to maintain the tax-exempt status of those bonds and to*
3 *obtain any other advantage under federal law on behalf of the*
4 *funds of this state.*

5 79819. *For the purposes of carrying out this division, the*
6 *Director of Finance may authorize the withdrawal from the*
7 *General Fund of an amount or amounts not to exceed the amount*
8 *of the unsold bonds that have been authorized by the committee*
9 *to be sold for the purpose of carrying out this division. Any*
10 *amounts withdrawn shall be deposited in the fund. Any money*
11 *made available under this section shall be returned to the General*
12 *Fund, with interest at the rate earned by the money in the Pooled*
13 *Money Investment Account, from proceeds received from the sale*
14 *of bonds for the purpose of carrying out this division.*

15 79820. *All money deposited in the fund that is derived from*
16 *premiums and accrued interest on bonds sold pursuant to this*
17 *division shall be reserved in the fund and shall be available for*
18 *transfer to the General Fund as a credit to expenditures for bond*
19 *interest.*

20 79821. *Pursuant to Chapter 4 (commencing with Section*
21 *16720) of Part 3 of Division 4 of Title 2 of the Government Code,*
22 *the cost of bond issuance shall be paid out of the bond proceeds.*
23 *These costs shall be shared proportionately by each program*
24 *funded through this division.*

25 79822. *The bonds issued and sold pursuant to this division*
26 *may be refunded in accordance with Article 6 (commencing with*
27 *Section 16780) of Chapter 4 of Part 3 of Division 4 of Title 2 of*
28 *the Government Code, which is a part of the State General*
29 *Obligation Bond Law. Approval by the electors of the state for the*
30 *issuance of the bonds under this division shall include approval*
31 *of the issuance of any bonds issued to refund any bonds originally*
32 *issued under this division or any previously issued refunding bonds.*

33 79823. *The proceeds from the sale of bonds authorized by this*
34 *division are not “proceeds of taxes” as that term is used in Article*
35 *XIII B of the California Constitution, and the disbursement of these*
36 *proceeds is not subject to the limitations imposed by that article.*

37 SEC. 2. *Section 1 of this act shall be submitted to the voters at*
38 *the November 2, 2010, statewide general election in accordance*
39 *with provisions of the Government Code and the Elections Code*
40 *governing the submission of a statewide measure to the voters.*

1 *SEC. 3. (a) (1) Notwithstanding Section 9051 of the Elections*
2 *Code or any other provision of law, the Attorney General shall*
3 *provide and return to the Secretary of State a ballot title and*
4 *summary in 10-point type for all state ballot pamphlets of the*
5 *November 2, 2010, statewide general election that contains the*
6 *following title and summary for _____ Bill _____, adopted by the*
7 *Legislature at the 2009–10 Regular Session:*

8
9 *“SAFE DRINKING WATER AND WATER SUPPLY*
10 *RELIABILITY ACT OF 2010” and in the same square under those*
11 *words:*

12 *“_____. Authorizes \$12.250 billion in general obligation bonds.”*
13

14 *(2) The language in paragraph (1) shall be the only language*
15 *included in the title and summary for _____ Bill _____, adopted*
16 *by the Legislature at the 2009–10 Regular Session, and the*
17 *Attorney General shall not supplement, subtract from, or revise*
18 *that language.*

19 *(3) Notwithstanding any other provision of law, including*
20 *Sections 9050, 9051, 13247, 13262, and 13281 of the Elections*
21 *Code, the language in paragraph (1) for the title and summary*
22 *shall also be the language included in the ballot label for the*
23 *condensed statement of the ballot title, and the Attorney General*
24 *shall not supplement, subtract from, or revise that language, except*
25 *that the Attorney General may include the fiscal impact summary*
26 *prepared pursuant to Section 9087 of the Elections Code and*
27 *Section 88003 of the Government Code. The ballot label is the*
28 *condensed statement of the ballot title and the financial impact*
29 *summary.*

30 *(b) Opposite the square, there shall be left spaces in which the*
31 *voters may place a cross in the manner required by law to indicate*
32 *whether they vote for or against the act.*

33 *(c) Where the voting in the election is done by means of voting*
34 *machines used pursuant to law in the manner that carries out the*
35 *intent of this section, the use of the voting machines and the*
36 *expression of the voters’ choices by means thereof are in*
37 *compliance with this section.*

38 *SEC. 4. Section 1 of this act shall take effect only upon the*
39 *approval by the voters of the Safe Drinking Water and Water*
40 *Supply Reliability Act of 2010, as set forth in that section.*

1 *SEC. 5. This act is an urgency statute necessary for the*
2 *immediate preservation of the public peace, health, or safety within*
3 *the meaning of Article IV of the Constitution and shall go into*
4 *immediate effect. The facts constituting the necessity are:*

5 *In order to finance a critical water supply reliability and water*
6 *source protection program as soon as possible, it is necessary that*
7 *this act take effect immediately.*

8 ~~SECTION 1. Section 13476 of the Water Code is amended to~~
9 ~~read:~~

10 ~~13476. Unless the context otherwise requires, the following~~
11 ~~definitions govern the construction of this chapter:~~

12 ~~(a) "Administration fund" means the State Water Pollution~~
13 ~~Control Revolving Fund Administration Fund.~~

14 ~~(b) "Board" means the State Water Resources Control Board.~~

15 ~~(c) "Federal Clean Water Act" or "federal act" means the Clean~~
16 ~~Water Act (33 U.S.C. Sec. 1251 et seq.) and acts amendatory~~
17 ~~thereof or supplemental thereto.~~

18 ~~(d) "Financial assistance" means assistance authorized under~~
19 ~~Section 13480. Financial assistance includes loans, refinancing,~~
20 ~~installment sales agreements, purchase of debt, and loan guarantees~~
21 ~~for municipal revolving funds, but excludes grants. Financial~~
22 ~~assistance may include grants for projects authorized pursuant to~~
23 ~~Section 13480 to the extent that grants for those projects are funded~~
24 ~~by the federal American Recovery and Reinvestment Act of 2009~~
25 ~~(Public Law 111-5).~~

26 ~~(e) "Fund" means the State Water Pollution Control Revolving~~
27 ~~Fund.~~

28 ~~(f) "Grant fund" means the State Water Pollution Control~~
29 ~~Revolving Fund Small Community Grant Fund.~~

30 ~~(g) "Matching funds" means money that equals that percentage~~
31 ~~of federal contributions required by the federal act to be matched~~
32 ~~with state funds.~~

33 ~~(h) "Municipality" has the same meaning and construction as~~
34 ~~in the federal act and also includes all state, interstate, and~~
35 ~~intermunicipal agencies.~~

36 ~~(i) "Publicly owned" means owned by a municipality.~~

- 1 (j) ~~“Severely disadvantaged community” means a community~~
- 2 ~~with a median household income of less than 60 percent of the~~
- 3 ~~statewide median household income.~~

O